

REMARKS/ARGUMENTS

Claims 1-2 and 4-11 were pending in the present application. Claims 1, 5, 8 and 9 have been amended and claims 10 and 11 have been cancelled. Accordingly, after the amendments presented herein are entered, claims 1-2 and 4-9 will remain pending. Support for the amendments to the claims can be found throughout the specification and claims as originally filed. Specifically, support for the amendments to the claims can be found in paragraphs [0031]-[0034] of the specification.

Rejection of Claims 1, 2, and 4-11 Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-2 and 4-11 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,562,629 to Lin et al. Applicants traverse this rejection.

Contrary to the Examiner's assertion, Applicants maintain that Lin does not teach or suggest the use of balsalazide for the treatment irritable bowel syndrome (IBS), nor does Lin provide teachings that render the claimed invention obvious. As previously set forth, the non-obviousness of the presently claimed subject matter is supported by unexpected results. Lin merely lists balsalazide as one among many other 4- and 5-ASA compounds that may be suitable for the use in treatment of any one of a number of diseases and disorders, including partially eradicating the SIBO condition, but does not suggest that balsalazide offers any particular benefit over the other compounds in the list. Nor does the specification teach which of the various compounds would be effective against which of the disclosed diseases and disorders. One of ordinary skill in the art knows that the disclosed molecules have different physical, chemical and therapeutic properties and would not expect all of these compounds to effectively treat all of the diseases and disorders disclosed. However, the specification provides no guidance as to which compounds should be used for treating each of the various diseases and disorders.

However, solely in the interest of expediting prosecution, and in no way acquiescing to the validity of the Examiner's rejection, Applicants have amended the claims to be directed to methods of treating the claimed diseases and disorders by administering to a patient an effective amount of balsalazide or a salt thereof and rifaximin or a composition comprising balsalazide or a salt thereof and rifaximin together with a suitable carrier.

Lin et al. does not teach or suggest the claimed methods using the claimed combination of therapeutic agents, nor does Lin et al. provide teachings that render the claimed methods.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the foregoing rejection.

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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